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10 NAVJEET SINGH BANGA,
11 Plaintiff,
12 v.
13 CHRIS GUS KANIOS, et al.,
14 Defendants.

10 Case No. 16-cv-04270-RS

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12 **ORDER GRANTING IN PART AND
13 DENYING IN PART MOTION TO
CONTINUE**

15 Plaintiff Navjeet Banga moves to continue the dates currently set for pretrial conference
16 and trial in this matter in order to secure representation and pursue settlement. Banga seeks a 90-
17 day continuance of the November 13, 2023, trial date (as well as the pretrial conference set for
18 November 3, 2023) so his recently-located, but not yet formally retained, attorney will have
19 sufficient time to prepare. *See* Dkt. 507-3, at 1. Banga represents Defendants have declined to
20 stipulate to a continuance. The motion to continue will be granted in part and denied in part.

21 This litigation began more than seven years ago. Since then, Banga has received additional
22 time to file an amended complaint, missed several deadlines, received a stay of proceedings to
23 obtain counsel from the Federal Pro Bono Project (who eventually were granted leave to
24 withdraw), received a second stay to obtain counsel from the Federal Pro Bono Project, been
25 granted a 90-day continuance of trial deadlines in early 2022, stipulated to a 120-day continuance
26 of trial in early 2023, and requested yet another referral to the Federal Pro Bono Project in June of
27 this year.

28 Now, with trial set for a date just over a month away, Banga represents he has located

1 counsel who needs additional time to review the voluminous materials generated by seven years of
2 litigation. It is preferable both parties be represented at trial. For this reason, Banga's motion to
3 continue the trial date will be granted in part and denied in part. A full 90-day continuance is not
4 warranted, but the trial date will be moved to January 8, 2024. As noted in a previous order, each
5 side will be limited to eight (8) hours within which to present the case, inclusive of an opening
6 statement, witness testimony, and a closing argument. The pretrial conference will be set for
7 December 20, 2023, at 10:00 a.m. in person.

8 This case will proceed **with or without counsel** on January 8, 2024. No further
9 continuances will be granted, and any failure to appear—with or without counsel—will result in
10 dismissal of this case.

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12 **IT IS SO ORDERED.**

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14 Dated: October 10, 2023

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16 RICHARD SEEBORG
17 Chief United States District Judge